

2SSB 6117 - S AMD TO S AMD (S-2823.1/07) 202  
By Senator Honeyford

WITHDRAWN 03/10/2007

1 Beginning on page 6, line 27 of the amendment, strike all of  
2 section 6 and insert the following:

3 "Sec. 4. RCW 90.46.130 and 2002 c 329 s 5 are each amended to read  
4 as follows:

5 (1)(a) Except as provided in subsection (2) of this section,  
6 facilities that reclaim water under this chapter shall not impair any  
7 existing water right downstream from any freshwater discharge points of  
8 such facilities unless there is compensation or mitigation for such  
9 impairment (~~(is agreed to by the holder of the affected water right)~~).

10 (b) Any reclaimed water project that reduces the quantity of sewage  
11 treatment plant effluent discharged directly into marine waters is  
12 deemed to not impair any existing water rights.

13 (c) The department of ecology shall assemble and consult with  
14 interested parties to review the issue of potential impairment of  
15 existing water rights by reclaimed water projects and shall report the  
16 findings and any recommendations of this review to the appropriate  
17 standing committees of the legislature no later than December 31, 2007.

18 (2) Agricultural water use of agricultural industrial process water  
19 and use of industrial reuse water under this chapter shall not impair  
20 existing water rights within the water source that is the source of  
21 supply for the agricultural processing plant or the industrial  
22 processing and, if the water source is surface water, the existing  
23 water rights are downstream from the agricultural processing plant's  
24 discharge points existing on July 22, 2001, or from the industrial  
25 processing's discharge points existing on June 13, 2002."

EFFECT: Requires DOE to work with interested parties to look at

the issue of potential impairment for reclaimed water facilities and to make recommendations to the legislature by December 31, 2007.

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